

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FOUNDRY NETWORKS, INC., a Delaware Corporation,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-470-SLR
)	
ALCATEL USA RESOURCES, INC. a Delaware Corporation,)	
ALCATEL INTERNETWORKING, INC. a California Corporation)	
COMPAGNIE FINANCIÈRE ALCATEL a French Corporation, and)	
ALCATEL S.A., a French Corporation,)	
)	
Defendants.)	

**DECLARATION OF ERIC LUCAS IN SUPPORT
OF THE MOTION TO DISMISS OF ALCATEL AND
COMPAGNIE FINANCIÈRE ALCATEL**

I, Eric Lucas, declare as follows:

1. My name is Eric Lucas. I am over the age of eighteen years, of sound mind, and competent in all respects to make this Declaration. I have personal knowledge of the following facts.
2. I am employed by Alcatel USA Resources, Inc. ("Alcatel Resources"). I am the Assistant General Counsel, Director of Patent Licensing and I am responsible for licensing intellectual property in the United States.
3. David Hawkes, an employee of CFA specializing in intellectual property licensing, participated in settlement negotiations concerning a dispute over the patents that are the subject of the patent case, Civil Action No. 05-418-SLR. The settlement negotiations, which

I understand did not take place in Delaware, did not lead to a resolution of the dispute with Foundry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct.

Executed on October 11, 2006



Eric Lucas

CERTIFICATE OF SERVICE

I, John W. Shaw, Esquire, hereby certify that on October 11, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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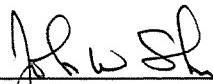
I further certify that on October 11, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

BY E-MAIL ON OCTOBER 11, 2006
AND U.S. MAIL ON OCTOBER 12, 2006

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